

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHARLES RASO, TRUSTEE OF THE
MASSACHUSETTS BRICKLAYERS AND
MASONS HEALTH AND WELFARE,
PENSION AND ANNUITY FUNDS,

Plaintiff,

v.

STONEWORKS BY RAND,

Defendant.

Civil Action No. 03-12535-RCL

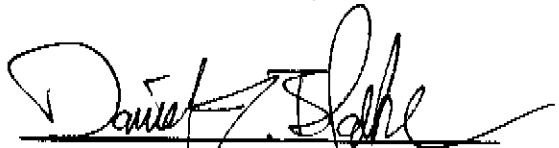
DEFENDANT'S LOCAL RULE 16.1 (D)(3) CERTIFICATION

Pursuant to Local Rule 16.1(D)(3), Defendant, Stoneworks by Rand, and the undersigned counsel hereby certify that they have conferred:

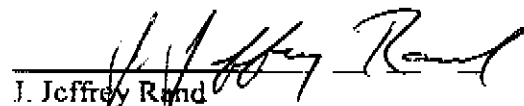
- (a) With a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and,
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Counsel for Defendant,

STONEWORKS BY RAND,



Daniel J. Blake (BBO #552922)
Heather C. Krauss (BBO #644457)
EPSTEIN BECKER & GREEN, P.C.
111 Huntington Avenue
Boston, MA 02199



J. Jeffrey Rand

DATED: MAR. 2. 04